

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *JK* D.C.
05 MAY 18 PM 3:32

ROBERT D. PETICLO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

DARIUS D. LITTLE,

Plaintiff,

vs.

Civil Action No. 96-2520 MI

SHELBY COUNTY, TENNESSEE;
A.C. GILLESS, individually and
in his official capacity as
Sheriff of Shelby County,
Tennessee; DENNIS DOWD,
individually and in his official
capacity as Chief Jailer of
Shelby County; and JIM ROUT,
individually and in his official
capacity as Mayor of Shelby County,

**CONSENT ORDER AWARDING INTERIM PAYMENT OF
ATTORNEYS FEES AND EXPENSES**

IT APPEARING TO THE COURT that Plaintiffs' counsel have submitted to the Defendants a statement seeking \$10,230.00 in attorneys fees, and \$21.55 in expenses (total \$10,251.55) for work performed in the above referenced case from January 1, 2005 through April 30, 2005.

IT FURTHER APPEARING TO THE COURT that by its order dated June 5, 2001, this Court found Plaintiffs' counsel are entitled to attorneys fees and expenses for litigating this case. Plaintiffs' counsel are further entitled to interim payment of attorneys fees and expenses.

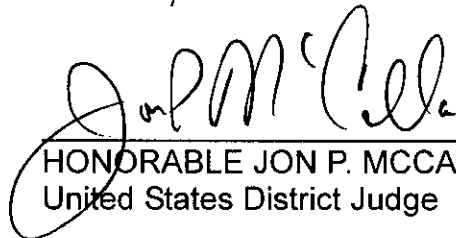
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IT FURTHER APPEARING TO THE COURT that by this Court's order dated June 5, 2001, this Court held that the Prison Litigation Reform Act, 42 U.S.C. §1997(e), ("P.L.R.A.") is applicable to these proceedings. The P.L.R.A. limits the hourly rate awarded to Plaintiff's counsel for attorneys fees to 150 percent of the hourly rate established under §3006A of Title 18, for payment of court appointed counsel in indigent criminal defense cases. By Order entered June 27, 2002, this Court acknowledged that the appropriate rate of compensation under the P.L.R.A. is currently \$135.00 per hour.

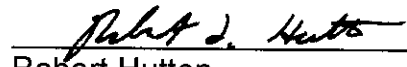
IT FURTHER APPEARING TO THE COURT that the parties consent that the above requested fees and expenses are reasonable and owed to Plaintiffs' counsel, and are calculated at rates authorized by the P.L.R.A.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED by consent, that Defendants shall promptly pay the law firm of Glankler Brown, PLLC, the total sum of \$10,251.55 for interim attorneys fees and expenses for work performed in this case from January 1, 2005 through April 30, 2005.

IT IS SO ORDERED BY CONSENT this 18 day of May, 2005.

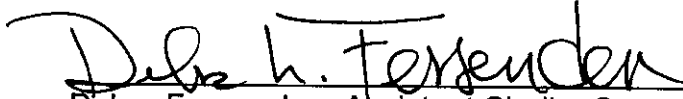

HONORABLE JON P. MCCALLA
United States District Judge

We consent:



Robert Hutton

Lead Counsel for Plaintiffs



Debra Fessenden, Assistant Shelby County Attorney
Attorney for Defendants

F:\CLIENTS\LITTLE, DARIUS (18012)\PLEADING\consentorder for fees January through April 2005.doc

GLANKLER BROWN, PLLC

ATTORNEYS AT LAW
ONE COMMERCE SQUARE
SEVENTEENTH FLOOR
MEMPHIS, TENNESSEE 38103
(901)525-1322
TAX I.D.NO. 62-0148660

May 9, 2005

John Doe

Statement No. 217082

Doe, John

Regarding: John Doe vs. Shelby County Jail
Our Reference No. 09132.18012

FOR LEGAL SERVICES RENDERED AND ENTERED THRU 04/30/05	\$10,125.00
DISBURSEMENTS THRU 04/30/05	\$21.55
TOTAL THIS STATEMENT	<hr/> \$10,146.55

REMITTANCE COPY - PLEASE ENCLOSE WITH YOUR PAYMENT.

GLANKLER BROWN, PLLC

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ITEMIZED SERVICES

DATE	DESCRIPTION	ATTY	HOURS
01/03/05	Prepared bill, preparation for upcoming meeting with Sheriff.	RLH	0.50
01/04/05	Preparation and meeting with Sheriff Luttrell, Jeff Schwarz, Debbie Fessenden concerning Jeff Schwarz' review of the Shelby County Jail.	RLH	2.00
01/13/05	Conference with Chuck Fisher concerning status with the interviews in the jail.	RLH	0.50
02/07/05	Meeting with Chuck Fisher concerning Shelby County Jail case, and his meeting with Jeff Schwarz.	RLH	0.50
02/07/05	Meeting with Chuck Fisher and Robert Hutton regarding interviews with inmates, results of recent inspections, etc.; receipt and review of correspondence and interviews from Chuck Fisher; office discussion with Robert Hutton regarding same.	AFG	1.50
02/17/05	Meeting with Chuck Fisher concerning status of jail case, and concerns about potential change of direct supervision.	RLH	0.50
03/03/05	Conversation with Jeff Schwarz concerning status of the case, told Jeff he might receive a subpoena, discussion concerning hearing of April 15, and Sheriff's position with respect to whether he is going to discontinue direct supervision. Discussed Jeff Schwarz' reviews towards the necessity of continuing direct supervision in order to safely supervise inmates.	RLH	1.00

DATE	DESCRIPTION	ATTY	HOURS
03/08/05	Conference with Jeff Schwarz, Chuck Fisher concerning request for proposal, reviewed request for proposal prepared by Ms. Nobel and the Shelby County Government, met with Sheriff and Jeff Schwarz at Sheriff's request concerning status of the jail.	RLH	2.50
03/09/05	Conference with Debbie Fessenden concerning access to the proposals submitted for privatization of the jail, conference with Chuck Fisher concerning request for proposals.	RLH	1.00
03/16/05	Conversation with Chuck Fisher, telephone call to Brian Kuhn concerning open records act, reviewed request for proposal, faxed letter to Deborah Fessenden.	RLH	2.00
03/31/05	Preparation for deposition notice, talked with Debra Fessenden, talked with Chuck Fisher and Debbie Prather concerning privatization reports.	RLH	2.50
04/04/05	Preparation and attended hearing in front of Judge McCalla with Deborah Fessenden concerning protective order and obtaining copies of the privatization plans for the Shelby County Jail.	RLH	4.00
04/04/05	Appeared in Federal Court on defendant's Motion for Protective Order; meeting with Assistant County Attorney and Robert L. Hutton and edited Order on Defendant's Motion for Protective Order	AFG	1.50
04/05/05	Telephone call to Chuck Fisher; meeting with Robert Hutton regarding review of materials; telephone call to Debra Fessenden regarding Protective Order	DP	1.75
04/05/05	Conference call with C. Fisher, J. Schwartz and R. Hutton regarding report	DP	1.00
04/05/05	Revised protective order, meeting with Debbie Prather, conference with Chuck Fisher.	RLH	2.00
04/06/05	Meeting with Chuck Fisher to review privatization proposals for Shelby County Jail	DP	2.00
04/06/05	Review additional notebooks regarding privatization of jail in preparation for hearing.	DP	3.75
04/06/05	Reviewed various proposals and meeting with Debbie Prather and Chuck Fisher regarding proposals from CCA, CSC, and GO to determine specific request for proposals of each	AFG	1.50
04/06/05	Reviewed additional documentation and notebooks concerning privatization of jail	AFG	2.00
04/07/05	Prepare memo for C. Fisher review regarding comparison of proposals regarding staffing and supervision; Scan additional documents; Additional review of proposals for privatization of jail facilities	DP	2.50
04/08/05	Review documents from Shelby County jail regarding privatization; meeting with Adam Glankler	DP	2.50

DATE	DESCRIPTION	ATTY	HOURS
04/08/05	Telephone call to Chuck Fisher; prep and scan additional documents to email to Jeff Schwartz	DP	0.50
04/11/05	Conference with Jeff Schwartz.	RLH	0.50
04/13/05	Conference with Debra Fessenden concerning protective order, conference concerning upcoming case, conference with Jeff Schwartz, began reviewing report in preparation for Friday's hearing.	RLH	2.00
04/13/05	Reviewed memorandum from paralegal, Debbie Prather, to Chuck Fisher regarding privatization of county correctional and jail facilities, and various attachments; and office discussion with Debbie Prather regarding same	AFG	1.50
04/14/05	Preparation for hearing, conference with Mary Bohan.	RLH	2.00
04/14/05	Reviewed Dr. Jeff Schwartz's report; and meeting with Robert L. Hutton regarding preparation for hearing	AFG	2.00
04/15/05	Prepare for purgation hearing; attend purgation hearing before Judge McCalla	DP	4.50
04/15/05	Prepared for and attended pergation hearing in Federal Court	AFG	4.50
04/15/05	Preparation for hearing in front of Judge McCalla, attended purgation hearing, cross examination of Dr. Schwartz, began cross examination of Sheriff Luttrell.	RLH	5.00
04/18/05	Telephone conference with Robert L. Hutton regarding obtaining miscellaneous information from Public Defender's Office; multiple telephone conferences with Public Defender's Office regarding obtaining lawsuit filed against County; obtained copies of motions to transfer from Robert Jones' office; receipt and review of motion for re-assignment, motion for funds for expert assistance for resentencing analysis, amended motions and memorandums in support for random re-assignment and to declare Local Rule 4.01 void; motion for funds for expert assistance for performance impact stress analysis, motion for recusal of Judge; and supplemental motions in preparation for pergation hearing	AFG	3.50
04/19/05	Prepare for and attend continuation of purgation hearing with Judge McCalla	DP	2.50
04/19/05	Meeting with Robert L. Hutton regarding status of Public Defender's Motions regarding random assignment of major violator cases, preparation of conclusion of pergation hearing; and appeared in Federal Court on pergation hearing	AFG	3.50
04/19/05	Preparation for and attendance at hearing on jail contempt conditions, cross examination of Sheriff, and Chuck Fisher.	RLH	4.00
TOTAL FOR SERVICES			\$10,125.00

ITEMIZED DISBURSEMENTS

DATE	DESCRIPTION	AMOUNT
	Long Distance	\$11.55
	Photocopies	\$10.00
	TOTAL DISBURSEMENTS	\$21.55



Notice of Distribution

This notice confirms a copy of the document docketed as number 830 in case 2:96-CV-02520 was distributed by fax, mail, or direct printing on May 19, 2005 to the parties listed.

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Honorable Jon McCalla
US DISTRICT COURT